

PATENT  
ATTORNEY DOCKET NO.: TNX00-04  
CUSTOMER NO: 26839

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: )  
FUNG, Michael, et al. )  
Serial No.: 09/816,839 ) Group Art Unit: 1644  
Filed: March 23, 2001 ) Examiner: A. M. DeCloux  
For: ANTI C2/C2a INHIBITORS OF )  
COMPLEMENT ACTIVATION )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

**DEPOSIT REQUIREMENTS UNDER 37 C.F.R. § 1.808**

The undersigned hereby states that the deposit of MAb 175-62 was made according to the terms of the Budapest Treaty on March 22, 2000, with the ATCC Deposit Designation No. PTA-1553. All restrictions imposed by the depositor on the availability to the public of the deposited material will be irrevocably removed upon the granting of the patent.

BY: Cheryl Liljestrand  
Cheryl A. Liljestrand  
Reg. No. 45,275

Dated: March 13, 2003.

# ATCC

10801 University Blvd • Manassas, VA 20110-2209 • Telephone: 703-365-2700 • FAX: 703-365-2745

BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF  
THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE

**INTERNATIONAL FORM**

**RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT ISSUED PURSUANT TO RULE 7.3  
AND VIABILITY STATEMENT ISSUED PURSUANT TO RULE 10.2**

**To: (Name and Address of Depositor or Attorney)**

Tanox, Inc.  
Attn: Eric Mirabel  
10301 Stella Link  
Houston, TX 77025

**Deposited on Behalf of:** Tanox, Inc. (Ref. 00-04)

**Identification Reference by Depositor:**

**Patent Deposit Designation**

Mouse hybridoma of anti-human complement C2a, MAb 175-62

PTA-1553

The deposit was accompanied by:  a scientific description  a proposed taxonomic description indicated above.

The deposit was received March 22, 2000 by this International Depository Authority and has been accepted.

**AT YOUR REQUEST:**  We will inform you of requests for the strain for 30 years.

The strain will be made available if a patent office signatory to the Budapest Treaty certifies one's right to receive, or if a U.S. Patent is issued citing the strain, and ATCC is instructed by the United States Patent & Trademark Office or the depositor to release said strain.

If the culture should die or be destroyed during the effective term of the deposit, it shall be your responsibility to replace it with living culture of the same.

The strain will be maintained for a period of at least 30 years from date of deposit, or five years after the most recent request for a sample, whichever is longer. The United States and many other countries are signatory to the Budapest Treaty.

The viability of the culture cited above was tested March 29, 2000. On that date, the culture was viable.

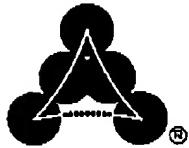
**International Depository Authority:** American Type Culture Collection, Manassas, VA 20110-2209 USA.

**Signature of person having authority to represent ATCC:**

  
Barbara E. Coupé, Administrator, Patent Depository

Date: March 29, 2000

# Tanox, Inc.



4888 Loop Central Dr.  
Suite 820  
Houston, TX 77081  
(713) 578-4000  
Fax: (713) 578-5002

FAX RECEIVED

MAR 14 2003

GROUP 1600

## FAX TRANSMISSION COVER SHEET

Date: March 13, 2003  
To: Examiner - Amy M. DeCloux  
Company: US Patent & Trademark Office  
Technology Center 1600  
Fax: (703) 872-9306  
Sender: Cheryl A. Liljestrand

OFFICIAL

You should receive 17 page(s), including this cover.  
If you do not receive all pages, please call (713) 578-4182.

### Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) 872-9306, on March 13, 2003. (Date)

Typed or printed name of person signing this certificate:

Angela K. Haffelder

Signature: Angela K. Haffelder

Please Acknowledge Receipt of the Following:

In re Application of: FUNG, Michael

Serial No: 09/816,839

Filed: March 29, 2001

For: Anti C2/C2a Inhibitors of Complement Activation

1. Transmittal Form
2. Fee Transmittal Form
3. Amendment/Reply
4. Extension of Time Request
5. Example 16
6. Deposit Requirement
7. ATCC Form

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PTO/SB/17 (11-01)  
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# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** **(\$)** **65.00**

## Complete if Known

Application Number	09/816,839
Filing Date	March 23, 2001
First Named Inventor	FUNG, Michael
Examiner Name	DeCloud, Amy M.
Group Art Unit	1644
Attorney Docket No.	TNX00-04

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money Order  Other  None

Deposit Account:

Deposit Account Number  
20-0087

Deposit Account Name  
Tanox, Inc.

The Commissioner is authorized to: (check all that apply)  
 Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
101 740	201 370	Utility filing fee			
106 330	206 185	Design filing fee			
107 510	207 255	Plant filing fee			
108 740	208 370	Release filing fee			
114 160	214 80	Provisional filing fee			

**SUBTOTAL (1) (\$)**

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	extra Claims	Fee from below	Fee Paid
			-20** =		
			-3** =		

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
103 18	203 8	Claims in excess of 20			
102 84	202 42	Independent claims in excess of 3			
104 280	204 140	Multiple dependent claim, if not paid			
109 84	209 42	** Release independent claims over original patent			
110 18	210 8	** Release claims in excess of 20 and over original patent			

**SUBTOTAL (2) (\$)**

\*\*or number previously paid, if greater. For Reissues, see above

## 3. ADDITIONAL FEES

### Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid	
105 130	205 85	Surcharge - late filing fee or oath		
127 50	227 25	Surcharge - late provisional filing fee or cover sheet		
139 130	139 130	Non-English specification		
147 2,520	147 2,520	For filing a request for or parts reexamination		
112 920*	112 920*	Requesting publication of SIR prior to Examiner action		
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action		
115 110	215 55	Extension for reply within first month	55.00	
116 400	216 200	Extension for reply within second month		
117 920	217 460	Extension for reply within third month		
118 1,440	218 720	Extension for reply within fourth month		
128 1,960	228 980	Extension for reply within fifth month		
119 320	219 160	Notice of Appeal		
120 320	220 160	Filing a brief in support of an appeal		
121 280	221 140	Request for oral hearing		
138 1,510	138 1,510	Petition to Institute a public use proceeding		
140 110	240 55	Petition to revive - unavoidable		
141 1,280	241 840	Petition to revive - unintentional		
142 1,280	242 840	Utility issue fee (or reissue)		
143 460	243 230	Design issue fee		
144 620	244 310	Plant issue fee		
122 130	122 130	Petitions to the Commissioner		
123 50	123 50	Processing fee under 37 CFR 1.17(q)		
126 180	126 180	Submission of Information Disclosure Stmt		
581 40	581 40	Recording each patent assignment per property (times number of properties)		
146 740	246 370	Filing a submission after final rejection (37 CFR § 1.129(a))		
148 740	248 370	For each additional invention to be examined (37 CFR § 1.129(b))		
179 740	279 370	Request for Continued Examination (RCE)		
169 900	169 900	Request for expedited examination of a design application		
Other fee (specify) _____				

\*Reduced by Basic Filing Fee Paid **SUBTOTAL (3) (\$)** **55.00**

## SUBMITTED BY

## Complete if applicable

Name (Print/Type)	Cheryl A. Liljestrand	Registration No. (Attorney/Agent)	45,275	Telephone	713-578-4182
Signature	<i>Cheryl A. Liljestrand</i>			Date	March 13, 2003

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